



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

February 11, 2022

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BY ECF

The Honorable Gregory H. Woods
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007-1312

MEMORANDUM ENDORSED

Re: ***United States v. Daniel Wälchli, 20 Cr. 497 (GHW)***

Dear Judge Woods:

The Government respectfully submits this letter jointly with counsel for defendant Daniel Wälchli, who is charged in the above-captioned case with one count of conspiracy to defraud the Internal Revenue Service. Mr. Wälchli, who is a citizen and resident of Switzerland, is prepared to appear on and defend the charges in this case. The parties expect to present an agreed-upon proposed bail package for the Court's consideration at the Mr. Walchli's presentment. The proposed bail package is as follows:

1. Mr. Wälchli must post a \$1 million bond, fully secured by cash.
2. Mr. Wälchli may travel internationally for work, and may travel to the EU, UK or Switzerland for personal reasons, but must provide advance written notice of his travel plans outside of Switzerland to government counsel and to Pretrial Services.
3. Mr. Wälchli must come to the United States for the final pretrial conference, and any other conference as ordered by the Court. He must surrender his passport when he arrives for the final pretrial conference and remain in the United States through the end of trial. His passport shall remain in the custody of the Pretrial Services or the Government pending further order of the Court. If there is a jury finding of guilt, it is expressly agreed and acknowledged that the bail condition allowing the defendant to travel internationally, as set forth in clause 2 above, terminates. Upon any such jury finding, the issue of further travel shall be addressed with the Court.
4. If additional Covid-related travel restrictions appear imminent, either party may seek a modification of the bail package with the Court.

5. The Government will take appropriate steps to designate any outstanding warrants/Red Notices as satisfied, so that Mr. Wälchli can pass through borders without being subject to being detained, and the Government will also provide a letter confirming same.
6. Should Mr. Wälchli violate the agreed-upon terms of the bail package, he would be considered a fugitive subject to any and all actions that the U.S. government could and would take to secure his arrest and extradition.

The parties respectfully request that the Court indicate whether it will conduct the presentment and arraignment itself or refer one or both of these proceedings to Magistrate Court. Further, while the parties explored the feasibility of conducting the proceeding remotely, the government has informed us that it would not be practicable under applicable DOJ guidance for Mr. Wälchli to appear from nearby locations in Europe. As a result, Mr. Wälchli will be traveling to the United States and, to the extent your Honor conducts the proceeding remotely, will be appearing from defense counsel's office in New York. The parties respectfully request that your Honor schedule the presentment and arraignment for March 16, 17, or 18.

Respectfully submitted,

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By:


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cc: Counsel of record

The Court refers both arraignment and presented to the assigned magistrate judge. The parties are directed to schedule those proceedings with the magistrate judge on duty.

SO ORDERED.

Dated: February 12, 2022
New York, New York


GREGORY H. WOODS
United States District Judge